

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TRUSTEES OF THE OPERATING
ENGINEERS PENSION TRUST; TRUSTEES
OF THE OPERATING ENGINEERS HEALTH
AND WELFARE FUND; TRUSTEES OF THE
OPERATING ENGINEERS JOURNEYMAN
AND APPRENTICE TRAINING TRUST; AND
TRUSTEES OF THE OPERATING
ENGINEERS VACATION-HOLIDAY
SAVINGS TRUST,

Plaintiffs,

v.

DRAEGER CONSTRUCTION, LLC, A Nevada
limited liability company; DESIGN BUILDERS,
LTD, a Nevada corporation, d/b/a DESIGN
BUILDERS; ORION CORP., a Nevada
corporation, d/b/a ORION OF NEVADA; ROCK
& WATERSCAPE CREATIONS, INC., a
Nevada corporation; WM MASTERS AND
ASSOCIATES, INC., a Texas corporation; and
DOES I through X, inclusive,

Defendants.

Case No. 11-MC-5001 JRC

ORDER FOR EXAMINATION OF
JONATHON WINSTON, PRESIDENT
OF DEFENDANT ORION CORP.,
JUDGMENT DEBTOR

Having considered Plaintiffs' Application for Judgment Debtor Examination of Jonathon
Winston, and the Declaration of Michael A. Urban and good cause appearing,

ORDER FOR EXAMINATION OF
JUDGMENT DEBTOR- 1

1 **IT IS HEREBY ORDERED** that Jonathan Winston, President of Defendant/Judgment
2 Debtor Orion Corp., appear in **Courtroom D** at the **United States District Courthouse for the**
3 **Western District of Washington**, located at **1717 Pacific Avenue, Tacoma, Washington**
4 **98402**, on **Friday the 8th day of April, 2011 at 9:30 a.m.** to be sworn in for a Judgment Debtor
5 Examination and answer concerning property subject to the ownership and control of Jonathon
6 Winston and Orion Corp.

7
8 **IT IS FURTHER ORDERED** that Mr. Winston and/or Orion Corp. (hereinafter
9 “Orion”) bring with him the following documents under his control or under the control of his
10 agents, attorneys or accountants:

11 1. All financial statements prepared by or on behalf of Orion from **January 1, 2008**,
12 to the present.

13 2. All original monthly bank statements of Orion from **January 1, 2008**, to the
14 present.

15 3. All original savings account pass books, certificates of deposit, and trust
16 certificates in the name of Orion from **January 1, 2008**, to the present.

17 4. All original negotiable instruments and negotiable securities in the name of Orion
18 from **January 1, 2008**, to the present
19

20 5. All evidence or other memoranda of any ownership interest of Orion in any other
21 corporation, partnership, unincorporated association or any business organized or conducted for
22 the production of income from **January 1, 2008**, to the present.

23 6. All evidence or other memoranda of any income received by Orion from **January**
24 **1, 2008**, to the present, to include but not limited to tax returns, insurance proceeds, or repayment
25 of loans.
26

1 7. All evidence or other memoranda of any employer, or place of work or
2 employment of Orion from **January 1, 2008**, to the present, including but not limited to
3 contracts, invoices, billings, vouchers or payments.

4 8. All evidence of any ownership interest of Orion to include but not limited to, bills
5 of sale, pink slips or any other record or title, in any motor vehicle, airplane, boat, equipment or
6 machinery, from **January 1, 2008**, to the present.

7 9. All evidence of any debts or repayments owed by Orion, to include but not
8 limited to those arising from loans or judgments from **January 1, 2008**, to the present.

9 10. Any and all evidence or other memoranda indicating that Orion were either a
10 plaintiff or a defendant in any lawsuit from **January 1, 2008**, to the present.

11 11. Any and all evidence or other memoranda indicating that Orion received any
12 judgment, award, bequest or devise in any lawsuit or other court action from **January 1, 2008**, to
13 the present.

14 12. Any and all evidence or memoranda indicating any ownership interest of Orion in
15 any patent, invention, trade name, or copyright.

16 13. Any and all evidence or memoranda indicating an ownership interest of Orion in
17 any real property or developments on real property.

18 14. Any and all evidence of the sale(s) of any real or personal property of Orion from
19 **January 1, 2008**, to the present.

20 15. Any and all loan applications filled out by Orion since **January 1, 2008**.

21 16. Copies of all documents evidencing the sale or transfer of any assets of Orion
22 from **January 1, 2008**, to the present.

23 17. Any and all documents evidencing any federal or state tax liability of Orion.

1 18. Original cash disbursement journals and/or check registers maintained in
2 connection with any business of Orion from **January 1, 2008**, to the present.

3 19. Federal income tax returns of Orion for the years **2008** and **2009**.

4 20. All daily job logs, diaries or foreman reports of Orion from **January 1, 2008**, to
5 the present.

6 21. All daily job tickets or invoices of Orion from **January 1, 2008**, to the present.

7 22. All daily job tickets or invoices of Orion for work performed for Orion Corp.,
8 from **January 1, 2008**, to the present.

9 23. All invoices for labor or services provided by Orion in connection with any work
10 in building, excavation, grading, paving and engineering construction, demolition, modification
11 or repair of any structure for the period of **January 1, 2008**, to the present.

12 24. All canceled checks drawn on any account established in the name of Orion from
13 **January 1, 2008**, to the present.

14
15
16 **NOTICE TO JUDGMENT DEBTOR**

17 **IF YOU FAIL TO APPEAR AT THE TIME AND PLACE SPECIFIED IN THIS**
18 **ORDER, YOU MAY BE SUBJECT TO ARREST AND PUNISHMENT FOR**
19 **CONTEMPT OF COURT AND THE COURT MAY MAKE AN ORDER REQUIRING**
20 **YOU TO PAY REASONABLE ATTORNEY'S FEES INCURRED BY THE JUDGMENT**
21 **CREDITORS IN THIS PROCEEDING.**

22
23 Dated this 4th day of February, 2011.

24
25
26 

J. Richard Creatura
United States Magistrate Judge